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COUNTY OF LOS ANGELES  
DEPARTMENT OF HEALTH SERVICES  
313 N. Figueroa, Los Angeles, CA 90012  
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August 25, 2004

TO: Each Supervisor

FROM: Thomas L. Garthwaite, M.D.   
Director and Chief Medical Officer

 Jonathan E. Fielding, M.D., M.P.H.   
Director of Public Health and Health Officer

SUBJECT: **SUNSHINE CANYON LANDFILL**

On May 25, 2004, the Board approved a motion by Supervisor Antonovich, instructing the Department of Health Services in conjunction with the State Department of Health Services (State DHS) and the County Sanitation District, to review and analyze State and County authority, worker safety, and landfill regulation on medical waste.

This Department has investigated the above issues and consulted with State DHS, the California Integrated Waste Management Board (CIWMB), and the County Sanitation District after receiving additional information from Browning-Ferris Industries of California, Inc. (BFI). As a result of this investigation, the Department of Health Services, State DHS, CIWMB, County Sanitation District, and BFI recommend no changes to the County policy on Infectious Waste established in 1988. However, the Department is recommending revisions to the procedures which implement the policy. The procedure for management of potentially untreated medical waste at Sunshine Canyon Landfill (SCL) will be revised to include the State DHS protocol and additional reporting requirements from BFI. The following items are included:

- (1) Medical waste found at the landfill will be isolated to allow State DHS staff to respond until the end of the next business day except Saturdays. If State DHS staff is unable to be on site on Saturdays, the medical waste will be buried before the end of the day.
- (2) State DHS will provide a copy of their investigation and any action taken in response to referrals to the Local Enforcement Agency (LEA) for the County.

- (3) LEA is requiring BFI to submit in addition to its monthly monitoring reports a list of medical waste incidents for that month and supporting documents describing the incident, handling, and final disposition of the medical waste.

The revised procedure will supercede the current one effective immediately.

In addition, the LEA will require BFI to submit an amendment to their Joint Technical Document to include the new procedure, Bloodborne Pathogen Program, and Exposure Control Plan as required by State DHS. Lastly, State DHS sent out letters to all small and large quantity generators of medical waste explaining the issue, providing guidance for proper handling of their medical waste stream to prevent incidents at the landfill, and enforcement actions against violators.

Attached is our report that specifically addresses the issues enumerated in the Board motion. A copy of the revised procedure and the letter to the generators are also included. If you have any questions or need additional information, please let us know.

TLG:JEF:rw  
2205

#### Attachments

c: Chief Administrative Officer  
County Counsel  
Executive Officer, Board of Supervisors  
State Department of Health Services  
James F. Stahl, Chief Engineer, Sanitation Districts

**LOS ANGELES COUNTY – DEPARTMENT OF HEALTH SERVICES  
REPORT TO THE COUNTY OF LOS ANGELES BOARD OF SUPERVISORS  
MEDICAL WASTE ISSUES AT SUNSHINE CANYON LANDFILL  
August 2004**

**Review and Analyze State and County Authority, Worker Safety, and Landfill Regulation on Medical Waste.**

The California Health & Safety Code defines medical waste and gives authority to the State Department of Health Services (SDHS) to promulgate regulations for the storage, treatment, handling, and disposal of medical waste. SDHS enforces the statutes and regulations pertaining to medical waste in the County of Los Angeles.

Medical waste that has been treated in accordance to the Medical Waste Management Act [part 14, Chapter 8 (commencing with Section 118215) of Division 104 of the Health and Safety Code] and that is not otherwise hazardous, is considered solid waste as defined in Section 40191 of the Public Resources Code and not medical waste. Section 20880 of Title 27 California Code of Regulations also states that medical waste, unless treated and deemed to be solid waste, shall not be accepted for disposal.

The preferred method of rendering medical waste safe for disposal is to autoclave or heat treat it to a point that all pathogens are killed. Medical waste is usually bagged and heat treated at the point of generation. Treated bags are identified by heat sensitive tape or some other approved indicator, e.g. a shrinking bag. SDHS may approve any treatment method that it finds will destroy the pathogens in the waste product.

The disposal of untreated medical waste in a landfill is prohibited. By policy, this Department, acting as the Local Enforcement Agency for solid waste disposal in the County of Los Angeles, requires a landfill operator to report receiving any inadequately treated medical waste to SDHHS. However, if the LEA determines that investigation of potentially untreated medical waste would be hazardous to site personnel at the landfill, untreated waste is approved for burial at the site.

The California Integrated Waste Management Board (CIWMB) in its LEA Advisory No. 54, with recommendations from SDHS states that if the LEA is the enforcement agency for medical waste the following steps shall be followed to ensure proper handling of untreated medical waste at landfills:

- Attempt to identify the source of the medical waste.
- If a generator can be identified contact them to arrange for removal, treatment, and disposal, and report the incident to SDHHS.
- If no generator can be identified have the medical waste covered and compacted. Do not remove it for treatment or disposal at another site.

Similarly, the County infectious waste policy established in 1988 echoed the CIWMB and SDHHS guidelines mentioned above.

Further handling of untreated medical wastes jeopardizes the health of the handlers and this concern far outweighs the small chance that the continued presence of these materials at the landfill affects public health. Pertinent studies by the Federal Office of Technology Assessment (OTA) in 1990 and another by the California Integrated Waste Management Board (CIWMB) in

1994 found that health risks associated with medical wastes are primarily occupational, and improvements in worker health and safety training minimize those risks. OTA indicates that if untreated medical wastes are disposed in a landfill there is little health risk from pathogens. Additionally, OTA has found that some degree of pathogen survival from municipal solid waste landfill is expected, but the likelihood of pathogens migrating from a properly operated landfill is considered extremely low based on available research. Cal OSHA also stated concerns with unnecessary handling of untreated medical waste and increased potential health and safety risk to workers at a landfill.

**PROCEDURES FOR MANAGEMENT OF  
POTENTIALLY UNTREATED MEDICAL WASTE  
SUNSHINE CANYON LANDFILL  
(SOLID WASTE FACILITY PERMIT NO. 19-AA-0853)**

Untreated medical waste or “red bags” as defined herein is medical waste that has not been properly treated in accordance with Chapter 8 (commencing with Section 118215) and therefore is not considered solid waste as defined in Section 40191 of the Public Resources Code. In the event that potentially untreated medical wastes are discharged to the active working face the following procedure shall be followed:

1. The spotter immediately notifies a supervisor.
2. The Sunshine Canyon Landfill (SCL) supervisor and the Local Enforcement Agency (LEA) are immediately notified of the discharge.
3. Waste disposal operations will be diverted to another area while the load is being investigated by the LEA and the SCL supervisor. If the LEA determines that an investigation of the medical waste would be hazardous to site personnel, the medical waste will be buried as instructed by LEA. The LEA will document the incident in the LEA Daily Activity Log, and the State Department of Health Services, Environmental Management Branch, Medical Waste Management Program (MWMP) will be notified of the incident. SCL supervisor will prepare a Report of Special Occurrence and file a copy with the LEA.
4. If the LEA and SCL supervisor determine that the medical waste contains regular trash and not medical waste, the “red bag(s)” containing solid waste shall be pushed into the working face with the regular trash.
5. If the LEA and the SCL supervisor are unable to determine the contents of the “red bag(s)”;
  - a. A phone call will be made to MWMP followed with a written referral by SCL supervisor.
  - b. MWMP staff will respond as soon as possible within two (2) working days of the telephone contact. MWMP staff will investigate the contents of the “red bag(s)” upon arrival. If it is determined to be untreated medical waste, MWMP staff will:
    1. If the generator can be identified, MWMP will contact the generator and ensure that the generator will have the medical waste transported for treatment to a licensed medical waste treatment facility. MWMP will investigate the incident for possible enforcement action.
    2. If the generator cannot be identified, MWMP will advise the SCL operator to bury the medical waste(s) and cover with at least 9 inches of soil in a designated place of the active disposal area.

3. MWMP staff will provide a written response (either written or via e-mail) and information regarding disposition of medical waste to SCL management and the LEA.
  - c. If MWMP staff is unable to be onsite the day of the incident, properly trained site personnel will appropriately isolate the medical waste as described in their Bloodborne Pathogen Program and Exposure Control Plan, by either the use of a secure tarp or a rigid container with a tight-fitting lid and labeled with the words "Biohazardous Waste" or with the international biohazard symbol and the word "BIOHAZARD" on lid and sides until MWMP staff can investigate. If MWMP staff is unable to respond by the end of the following business day after notification of the incident, the medical waste will be buried. If the incident occurs on a Saturday and the MWMP staff is unable to be onsite that same day, then the medical waste will be buried at the end of that day.
  - d. SCL supervisor shall file a report of special occurrences with the LEA inspector at the facility describing the incident and the mitigation measures carried out by facility staff, LEA, and MWMP.
  - e. SCL supervisor shall submit with the monthly monitoring report a list of medical waste incidents for that month and supporting documents describing the incident, handling, and final disposition of the medical waste.
6. The LEA will enter all medical waste incidents into the SCL Daily Activity Log.
7. MWMP will provide to the LEA a copy of their investigation and any action taken in response to referrals made by either the LEA or SCL supervisor.



**Memorandum**

Date: July 1, 2004

To: All Healthcare Facilities  
City and County of Los Angeles

From: Ronald Pilorin, Chief  
Medical Waste Management Program

Subject: Guidance for Preventing the Disposal of Red Biohazardous Waste Bags  
At the Sunshine Canyon Landfill

As a result of several incidents where red biohazardous waste bags allegedly containing untreated medical waste have been discovered at the Browning-Ferris Industries (BFI) Sunshine Canyon Landfill, the California Department of Health Services, Medical Waste Management Program (Department) by copy of this memorandum is notifying all medical waste generators within the City and County of Los Angeles that it is unacceptable and illegal to dispose of untreated medical wastes into a solid waste landfill. When such incidents occur, it causes a series of responses from personnel of the BFI Sunshine Canyon Landfill, the County of Los Angeles Department of Health Services, and the Department directly affecting the operational activities of the landfill and possibly placing the previously mentioned personnel at risk.

The Department is providing the following guidance to minimize and/or eliminate the disposal of such wastes into the landfill:

1. Review your facility's Medical Waste Management Plan, management policies, and procedures to ensure that all medical wastes and/or solid wastes are properly identified, segregated and packaged appropriately, and disposed of properly.
2. Conduct an audit of your medical and solid waste management practices to ensure that your facility is managing these types of wastes consistent with the facility's Medical Waste Management Plan and proper solid waste management practices and procedures.
3. Review your current training procedures with respect to your facility's waste management practices to ensure that staff is aware of the appropriate waste management and disposal practices. Survey staff and conduct additional waste management training as needed to ensure compliance with the appropriate waste management and disposal practices at your facility and all California laws and regulations pertaining to medical and solid waste disposal.
4. Routinely monitor your waste management and disposal practices or implement a system for monitoring waste management activities to ensure compliance.

When medical waste incidents occur, the BFI Sunshine Canyon landfill personnel in cooperation with the aforementioned regulatory agencies will make every effort to determine the origin of the red biohazardous waste bag and/or identify the responsible party. If the responsible party is identified, the Department, as the lead enforcement agency for the management of medical waste in Los Angeles County, will conduct an investigation and/or inspection at the responsible party's site and take appropriate enforcement action(s). Such enforcement action(s) may include the imposition of an administrative penalty, probation and/or other administrative action(s), or a combination of such to ensure that these types of incidents are minimized and/or eliminated. Administrative penalties that may be assessed by the Department range from one thousand dollars (\$1,000) to twenty-five thousand dollars (\$25,000) per violation.

The Department takes each and every one of these incidents seriously and appreciates your cooperation to assist us in resolving this matter and reducing the incidents of improper medical waste disposal at the Sunshine Canyon Landfill. Should you have any questions regarding this memorandum, you may contact the Medical Waste Management Program in Sacramento at (916) 449-5671.